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SENATE BILL 5204

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Haugen, Sutherland, West, von Reichbauer, Winsley, Deccio and Quigley

Read first time 01/18/93. Referred to Committee on Government Operations.

1 AN ACT Relating to lateral transfer of county sheriff's employees  
2 to municipalities; adding new sections to chapter 41.12 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The purpose of section 2 of this act is to  
6 require the lateral transfer of any county sheriff's employee who, by  
7 reason of annexation or incorporation of an unincorporated area of a  
8 county, will or is likely to be laid off due to sheriff's department  
9 cutbacks resulting from the loss of the unincorporated law enforcement  
10 responsibility.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.12 RCW  
12 to read as follows:

13 When any portion of an unincorporated area of a county is annexed  
14 or incorporated into a municipality, any employee of the sheriff's  
15 office of such county may transfer his or her employment to the  
16 municipal police agency as provided in sections 3 and 4 of this act if  
17 such employee:

1 (1) Was, at the time such annexation or incorporation occurred,  
2 employed exclusively or principally in performing the powers, duties,  
3 and functions which are to be performed by the county sheriff's office;

4 (2) Will, as a direct consequence of such annexation or  
5 incorporation, be separated from the employ of the county; and

6 (3) Meets the minimum standards and qualifications of the  
7 municipality.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.12 RCW  
9 to read as follows:

10 (1) An eligible employee may transfer into a municipal civil  
11 service system for the police department by filing a written request  
12 with the municipal civil service commission of the affected  
13 municipality and by giving written notice thereof to the legislative  
14 authority of the county. Upon receipt of such request by the civil  
15 service commission the transfer shall be made. The employee so  
16 transferring will:

17 (a) Be on probation for the same period as are new employees of the  
18 police department;

19 (b) Be eligible for promotion after completion of the probationary  
20 period;

21 (c) Receive a salary at least equal to that of other new employees  
22 of the police department; and

23 (d) In all other matters, such as retirement and vacation, have,  
24 within the municipal civil service system, all the rights, benefits,  
25 and privileges that he or she would have been entitled to had he or she  
26 been a member of the police department from the beginning of his or her  
27 employment with the county. The county shall, upon receipt of such  
28 notice, transmit to the city civil service commission a record of the  
29 employee's service with the county which shall be credited to such  
30 member as a part of his or her period of employment in the city police  
31 department. The police chief may assign the transferring employee to  
32 the police duties he or she feels are in the best interests of the  
33 department and the employee.

34 (2) Only so many of the transferring employees shall be placed upon  
35 the payroll of the municipal police department as the municipality  
36 determines are needed to provide an adequate level of law enforcement  
37 service. These employees shall be taken in order of seniority and the  
38 remaining employees who transfer as provided in sections 2 through 4 of

1 this act shall head the list of their respective class or job listing  
2 in the civil service system in order of their seniority, to the end  
3 that they shall be the first to be reemployed in the police department  
4 as vacancies become available.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.12 RCW  
6 to read as follows:

7 When any portion of an unincorporated area of a county shall be  
8 annexed or incorporated into a municipality and as a result thereof  
9 layoffs will result in the county sheriff's office, employees so  
10 affected shall be notified of their right to transfer and such  
11 employees shall have ninety days to transfer his or her employment to  
12 the municipality.

13 NEW SECTION. **Sec. 5.** A new section is added to chapter 41.12 RCW  
14 to read as follows:

15 In addition to its other duties prescribed by law, the civil  
16 service commission shall adopt rules as are necessary to provide for  
17 the orderly integration of employees of a county sheriff's office to a  
18 municipality pursuant to sections 2 through 4 of this act.

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